

PATENT
Serial No. 09/891,017

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Docket No. 1232-4727

REMARKS

Applicants respectfully request reconsideration in view of the following remarks.

Claim Status

Claims 1-78 are pending in this application and have been subjected to an election of species for prosecution on the merits.

Election

The Examiner has required under 35 U.S.C. §121 election of a single species for prosecution on the merits because, in the Examiner's opinion, as set forth in the Detailed Action, the application contains claims directed to three patentably distinct species of the invention as follows:

Species 1- Figures 1-3C;

Species 2- Figures 5-6; and

Species 3- Figures 7-9.

In addition, the Examiner has determined claims 1 and 37 to be generic to these species.

As stated above, Applicants provisionally elect Species I for prosecution and identifies claims 1-7, 37-43, 73 and 76 as being readable thereon.

Should any generic claim be deemed allowable, Applicants respectfully request that all species readable thereon be rejoined to the case.

This election is made with traverse. Applicants respectfully submit that (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together.

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Applicants note that the Examiner identifies merely *three* species, which Applicants submit is not "more than a reasonable number of species" for searching purposes.

CONCLUSION

It is respectfully submitted that the election requirement should be withdrawn and an action on the merits for all the pending claims be issued. The pending claims are believed allowable over the art of record.

No fees are believed due in connection with this response and this paper is believed to be timely filed. However, should an extension of time be necessary, such extension is hereby petitioned. The Commissioner is authorized to charge any fees or credit any overpayments which may be required for this paper to Deposit Account Number 13-4500, Order No. 1232-4727.

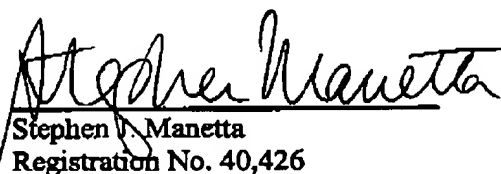
In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 14, 2005

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